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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

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6 KENNETH L MARTIN,
7 Plaintiff,
8 v.
9 STEVEN SISOLAK, et al.,
10 Defendants.

Case No. 2:19-cv-00925-RFB-CWH

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12 **ORDER**

13 Presently before the court is plaintiff Kenneth L. Martin's second application to proceed
14 *in forma pauperis* (ECF No. 6), filed July 15, 2019. The court denied plaintiff's first application
15 to proceed *in forma pauperis* for failure to fully complete the first page of the application and for
16 failure to provide an inmate account statement from the last six months. (Order (ECF No. 3).)
17 The court ordered plaintiff to file a complete application or to pay the filing fee within 30 days
18 from the date of the order. (*Id.*) Plaintiff then moved for reconsideration of the court's order
19 denying his application to proceed *in forma pauperis*, arguing that he has no source of income.
20 (ECF No. 4.) The court denied plaintiff's motion for reconsideration but found good cause to
21 extend the deadline for plaintiff to file a complete *in forma pauperis* application. (Order (ECF
22 No. 5).) Plaintiff now renews his motion to proceed *in forma pauperis*.

23 Plaintiff's application is incomplete. Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule
24 LSR 1-2, plaintiff must complete an application to proceed in forma pauperis for prisoners and
25 attach both an inmate account statement for the past six months and a properly executed financial
26 certification. Here, plaintiff's application to proceed in forma pauperis does not include an
27 inmate account statement for the last six months. As such, the application to proceed in forma
28 pauperis is denied without prejudice. The court will retain plaintiff's complaint on file, but will
not file it until after the matter of the payment of the filing fee is resolved. Plaintiff will be

1 granted an opportunity to cure the deficiencies in his application or, alternatively, to pay the full
2 filing fee for this action. If plaintiff chooses to file a new application to proceed in forma
3 pauperis he must file a complete application.

4 IT IS THEREFORE ORDERED that the clerk of court must send plaintiff the approved
5 form application to proceed *in forma pauperis* by a prisoner, as well as the accompanying
6 information form and instructions for filing an *in forma pauperis* application.

7 IT IS FURTHER ORDERED that within thirty days from the date of this order, plaintiff
8 must either: (1) file a complete application to proceed *in forma pauperis*, on the correct form with
9 complete financial attachments in compliance with 28 U.S.C. § 1915(a); or (2) pay the full \$400
10 fee of \$400.00.

11 IT IS FURTHER ORDERED that failure to timely comply with this order may result in
12 dismissal of this action.

13 DATED: July 29, 2019

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17 C.W. HOFFMAN, JR.
18 UNITED STATES MAGISTRATE JUDGE
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